

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
January 11, 2012
City Council Chambers, City Hall Annex
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Christopher Morgan; Jim Owers; Jan McClure; Chris Kane; Rick Chormann; Pam Hunt; Tracey Boisvert; and Jeff Belanger; and Rebecca Hebert, Senior Planner, also attended the meeting.

C. Morgan called the meeting to order at 7:05.

The group discussed the election of officers. T. Boisvert moved to continue with the current officers, C. Morgan as Chair and J. Owers as Vice Chair. R. Chormann seconded; all in favor motion passed.

1. Minutes:

The Commission reviewed the minutes of the December 14, 2011, meeting, and the minutes were unanimously accepted with a few minor revisions.

2. Wetlands Bureau:

R. Hebert reported that there were no notices or permits to review from the New Hampshire Department of Environmental Services.

3. City Council/Planning Board Action:

Ryan Young of the Society for the Protection of New Hampshire Forests was present to discuss concerns regarding the Delta Dental rezoning request off of Commercial Street. Mr. Young said that the Forest Society has talked with Delta Dental about possibly holding the easement on the back land. The easement would only contain about eight acres, and they looked into whether or not the land could be merged with the Morrill's property. He explained that Delta Dental had concerns that this would influence their zoning requirements for development, and felt the land would need to stay with the existing parcel. Mr. Young said that the Forest Society might be interested in holding the conservation easement on the smaller parcel, but wanted to wait for the rezoning process to be finalized before making a decision.

R. Hebert explained that the Planning Board discussed the new information that was presented to the City Council at the December meeting, and set a public hearing for their regular January meeting. The group discussed the buffer to the brook and the buffer improvement plan that was presented to the City Council. R. Chormann said that Delta Dental's buffer plan included the clearing of woody material and debris to allow water to flow through the site more quickly, but this would limit the flood storage capacity of the brook.

The group also discussed concerns regarding the gates at West Locke Road. Mr. Young explained that the conservation easement does not restrict vehicular traffic on the road, but gives the City the ability to restrict vehicular access on the property. The easement also reserves the right for the City to build a small parking lot on the property. R. Hebert said that she did not think the City would be complying with the new ADA ruling if vehicles were allowed access for maintenance/management but not for ADA access. She said that she has contacted the Legal Department for advice on the matter. City Staff has organized a webinar on Friday at 10:00 and Commission members are welcome to attend. The Commission talked about opening the gate on the weekends from dawn to dusk to provide access to the property and also discussed the need to post a sign at the gate and at the entrance to the fields explaining which OPDMD's would be permitted on the property. Mr. Young explained that the Forest Society has not addressed this issue on property they own or hold easements on.

4. Open Space:

Dick Lemieux was present to discuss the City's acquisition of easements or land for the construction of the Merrimack River Greenway Trail between Garvin's Falls and Manchester Street. He explained that there are only a few land owners along this section of the trail. PSNH owns the large tract of land at Garvin's Falls and five other parcels are owned by the John Monson Trust. Mr. Lemieux asked if the City would be interested in holding legal rights to the trail easements.

Mr. Lemieux provided an overview of the trail through Concord and explained how it would connect with the proposed trail corridor in Pembroke and the Northern Rail Trail in Boscawen. The Commission asked what was typically done in other communities where shared use paths have been constructed. Mr. Lemieux thought that most other trails were constructed within railroad right-of-ways and explained that this was not possible in Concord. The Commission discussed possible funding sources for land acquisition including the Aquatic Resource Mitigation fund and the possibility of partnering with PSNH through their FERC relicensing agreement. R. Hebert said that the properties along this section of the trail also ranked highly in the co-occurrence mapping project recently prepared by Dan Sperduto. The group suggested that Mr. Lemieux contact John Monson and PSNH.

J. McClure and R. Hebert provided an overview of the presentation that was given to the Fiscal Policy Advisory Committee. The presentation included an overview of the Conservation Commission's responsibilities and land protection achievements and also included a flow chart explaining how the Commission's accounts are managed and set up within the City's financial system.

The group discussed the draft easement to the Forest Society for the Gully Hill Road agricultural land. The Commission agreed to bring this to the City Council in March. R. Hebert asked members to send comments on the draft easement by email.

The Commission discussed HB 1515 and HB 1512. R. Hebert said that HB 1512 was withdrawn, but possibly merged with another bill. The Commission discussed the hearing for HB 1512 which is scheduled for next week. J. Owers said that he would try to attend.

P. Hunt moved to enter into a nonpublic session for the discussion of possible land acquisition in accordance with RSA 91-A:3, II(d). C. Kane seconded the motion, and the motion passed unanimously.

Following the discussion the Commission moved to exit nonpublic session and seal the minutes. The motion was duly seconded and passed unanimously.

Meeting adjourned at 10:12 PM.

A TRUE RECORD ATTEST:

Rebecca Hebert

Planner, Secretary pro-tem